

Amendment No. 1 to HB0130

Hazlewood
Signature of Sponsor

AMEND Senate Bill No. 148

House Bill No. 130*

by deleting the language "The review is confined to the record" in Section 5(c) and substituting instead the language "Unless the board shall otherwise direct, the review is confined to the record".

AND FURTHER AMEND by deleting Section 10 and substituting instead the following:

SECTION 10. Tennessee Code Annotated, Section 67-5-1511(b), is amended by deleting the following language:

The judicial review provided in subsection (a) shall consist of a new hearing in the chancery court based upon the administrative record and any additional or supplemental evidence which either party wishes to adduce relevant to any issue and substituting instead the following:

Notwithstanding another law to the contrary, the judicial review provided in subsection (a) is a de novo appeal, with no presumption of correctness of the decisions of the lower tribunals in the case at hand, and must consist of a new hearing in the chancery court based upon the administrative record and any additional or supplemental evidence that either party wishes to adduce relevant to any issues